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C.R.P. No.3964 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2023

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

C.R.P.No.3964 of 2023

and

CMP.No.24348 of 2023

1.Uma

2.Narasinga Rao

3.Sharini

4.Sharanth

5.Sulochana

... Petitioners

Versus

M.Logeswari

... Respondent

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the fair and decreetal order dated 28.11.2022, in I.A.No.2 of 2022 in O.S.No.151 of 2022 on the file of the Principal District Judge, Kancheepuram, Chengalpattu.

For Petitioners : Mr. J. Ravikumar

For Respondent : Mr. K.Mani



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ORDER

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The petitioners have filed this petition to set aside the fair and decreetal order dated 28.11.2022, in I.A.No.2 of 2022 in O.S.No.151 of 2022 on the file of the Principal District Judge, Kancheepuram, Chengalpattu.

2. Before the trial Court the plaintiff has filed an I.A.No.2 of 2022 in O.S.No.151 of 2022, praying for attachment of suit property. Objection was also made by the defendants. On hearing both sides, the learned trial Judge erroneously passed an order directing to attach the property, without giving sufficient opportunity to furnish the security. Challenging the said order, the respondent has preferred this revision. Subsequently the plaintiff has filed another I.A.No.3 of 2022 praying for a direction to the defendant to furnish security for the same suit claim, failing which, order for attachment. Thereafter, on the objection raised by the defendants, the plaintiff has filed the application in I.A.No.3 of 2022 with correct prayer.



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3. Therefore, the order passed by the learned trial Judge in I.A.No.2 of

2022 is hereby set aside.

4. Accordingly, this Civil Revision Petition is allowed. Consequently, connected miscellaneous petition is closed. No costs.

09.11.2023

Index : Yes / No

Neutral Citation: Yes / No

Speaking/Non-speaking order

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1. The Principal District Judge, Kancheepuram, Chengalpattu.

2. The Section Officer,
VR Section, High Court of Madras.

T.V.THAMILSELVI, J.

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